

2010-2011 Annual Report
State Superintendent's Advisory Council on Special Education
Submitted July 2011

Mandated under Chapter 15.377(4), Wisconsin Statutes and 20 U.S.C. 1412(a)(21), the Wisconsin State Superintendent's Advisory Council on Special Education serves as an advisory council to the State Superintendent on matters related to statewide delivery of special education programming and related services. The Council also provides input when requested to proposed changes and revisions to state policies, rules, regulations, and initiatives that affect students with disabilities and their advocates.

Council members are appointed by the State Superintendent. They represent a wide range of interested citizens, professionals, and educators from throughout the state. Council members include parents, teachers, administrators, administrators of programs for students with disabilities, and others concerned about the education of students with disabilities. Council meetings covered in this report were held on November 15, 2010; January 7, 2011; April 15, 2011 and July 15, 2011. The meetings were open to the public. Anyone wishing to address the council is always permitted to do so.

The 2010-2011 Council took on the new responsibilities of providing input and feedback on the State Performance Plan (SPP) as it relates to the Department's six-year plan for improving outcomes of children with disabilities in Wisconsin. The Council's work centered around gaining a more complete understanding of the potential implications of the Governor's proposed budget. Additionally, Council worked to gain a more thorough understanding of Maintenance of Effort, SPP Indicator Data, Response to Intervention, Special Education System of Support, and ARRA funding.

Reports

The Council heard presentations related to the following topics/issues:

- Wisconsin State Performance Plan (SPP)
 - Several DPI staff presented information critical to the understanding of SPP Indicators, Data Collection, and reporting requirements.
 - Council provided feedback and advice related to setting targets for Improvement Indicators: 14a, 14b, 14c, 2, and 8.
 - Council reviewed data and discussed indicators: 1, 3a, 4a, 5, 7, 9, 10, 11, 12, 13, , 16, 17, 18, 19, and 20.
- Information Bulletins
 - 7 DPI issued Information Bulletins were shared with the Council
- IDEA Complaints and Due Process hearing decisions
 - 44 IDEA Complaints were shared with the Council
 - 6 due process hearing decisions were shared with the Council

- Maintenance of Effort (MOE)
 - State MOE and Local MOE
 - Conversation around the topic centered around gaining a more complete understanding of the issue and the surrounding implications of failing to meet State and Local MOE obligations.
- Response to Intervention and Specific Learning Disabilities eligibility process
 - OSEP Memorandum 11-07
- State and Federal Budget
 - Governor Walker's proposed 2011-2013 Biennial Budget
 - President Obama's signing of P.L. 112-10
- "Creating Agreement: Support from Parent Organizations and the Department of Public Instruction"
 - WSPEI
 - WI FACETS
 - Special Education Systems of Support
 - Mediation
 - Compliance

Public Forum

The Council held its annual Public Forum Listening Session in conjunction with the State Superintendent's Leadership Conference on Special Education at the Marriott West on November 15, 2010. Over the duration of the session there were 31 participants, not include the Council, and 8 speakers. Broad topical areas are highlighted below.

- Use of Seclusion/Restraint and other aversive techniques
 - Need to regulate the use of aversive practices
 - Need to require credentialing of staff who are using aversive practices
 - The hypothesis of using aversive techniques to change behavior is patently wrong
 - A child on the Autism Spectrum may appear defiant, but it is often that the child's communication is ineffective
 - Using aversive practices on a child with ASD is punishing their ineffective communication
 - "Punishing a child for their lack of understanding is unethical"
 - Concerns that current (November 2010) proposed legislation is not specific enough regarding training of professionals
 - Concerns that current (November 2010) proposed legislation is worded too vaguely
- Suspension/Expulsion
 - Schools need to focus on alternatives to suspension/expulsion
 - The use of suspension/expulsion devalues children and devalues education
 - Consequences are ineffective at changing behavior of children with challenging behavior
 - "Relationships [between adults and children] is the antidote to challenging behaviors"
- Math Instruction and Evaluation
 - Concerns about closing the achievement gap of Native American children with Learning Disabilities

- Speaker felt that research based professional development is necessary to address the issue
- Beliefs that instruction should be based on a students abilities and not their disabilities
- Encourages DPI to consider cultural competence in determining new standardized test measures
- Literacy/Reading Instruction
 - Beliefs that DPI should provide guidance on supporting multi-sensory, explicit reading instruction in the classroom

Council members indicated that they **would like to see the following:**

- More opportunities for the Council to meet, including in informal/social settings
- Consideration of hosting a Council Public Forum in a more “parent friendly” location/event. Perhaps the Circles of Life Annual conference for parents

The Council **approved the following motions:**

- In response to OSEP’s monitoring visit and report (December 2009) in which OSEP cited the DPI’s self-monitoring procedures as ineffective, the Council expressed concern for new recommendations which appear to be burdensome and punitive. The Council recommended that the State Superintendent seek input from established stakeholder groups to design a system of monitoring that will focus on positive outcomes rather than punitive outcomes.

The Council had a very rich and productive year amidst a very challenging climate. Council discussions, which were honest and frank, were enriched by presentations from the Department, outside presenters, and members of the public. By sharing information, taking on new responsibilities, and creating a forum for honest discussion the Council is poised to be productive and impactful for its members and the constituents which they represent.

On behalf of the State Superintendent’s Advisory Council and Special Education, I wish to express our appreciation to Dr. Stephanie Petska, Courtney Reed Jenkins, and Marjorie Schenk for their unwavering work on behalf of the special education community as well as the Council. I also wish to express our appreciation to the other members of the Department who took their time to present information and share their expertise with the Council. Finally, we would like to thank you for your support and for the opportunity to serve.

Respectfully Submitted,

Jenny Stonemeier

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 State Superintendent’s Advisory Council on Special Education